

ATTACHMENT A

Agreed to

PROPOSED STIPULATION

Beginning in 1996, investigators working for the International Criminal Tribunal for the former Yugoslavia ("ICTY"), examined locations in eastern Bosnia, and unearthed mass burial sites. Some areas were identified as primary graves and others as secondary graves, that is, in a number of instances, primary grave sites were disturbed, and the bodies dug up and then re-buried at secondary sites. As a result of the exhumations and re-burials, many of the bodies at the secondary sites were broken and dismembered. In addition, some of the bodies at the primary disturbed site were similarly damaged.

The Branjevo Military Farm was one such primary grave site. It is located in the Republic of Srpska region of Bosnia-Herzegovina. The Branjevo grave site was exhumed by the ICTY between September 10 and 24, 1996. Autopsy examinations were conducted between October 6 and 23, 1996. A secondary grave site along the Cancari Road, designated Cancari 12, that is linked to the Branjevo site, was exhumed in 1998.

Every detail of every exhumation was photographed and documented. Archaeologists, anthropologists and pathologists were involved in the exhumations. Archaeologists are experts in recognizing disturbed soil and recovering bodies and artifacts. Pathologists conducted autopsies and determined cause of death. Others were involved in recovering, documenting, photographing and analyzing artifacts and other evidence. Anthropologists studied recovered bones for the purpose of determining age and sex, and interpreting breaks and other holes in bones. They also determined - based on an analysis of bodies and body parts recovered, how many separate individuals were recovered. In the case of disturbed primary sites and secondary sites, because the bodies were broken and dismembered in the process of being dug up and re-buried, determining the exact number of individuals recovered at a grave site was difficult. Anthropologists arrived at a conservative number based on a process involving the counting of specific bones. This process resulted in an undercounting of individuals in the fully exhumed grave sites.

The grave site at Branjevo was on the edge of a cultivated field, approximately 150 meters from the gravel driveway leading to the farm. The grave had been dug by a machine and the disturbed area was large enough to accommodate several hundred persons.

From the grave site at Branjevo, a minimum of 132 separate individuals were recovered. In all instances where sex of the remains could be determined, the remains were male. The age range of all the victims was between 15 and 61 years of age. All

were wearing civilian clothes, except for one body that had military-type pants; no military insignias were observed. Some of the identified remains had their wrists bound by cloth. Blindfolds were also noted. The victims were Muslims and artifacts, such as prayer books and the Koran, as well as religious objects, such as amulets and prayer beads, were recovered that linked the victims to Islam. Some victims were identified through name-bearing documents removed from clothing, and some by DNA comparisons to relatives. Artifacts, personal papers, including various kinds of identification cards, and other evidence linked the victims to Srebrenica and the time frame of the alleged massacre, that is, July 1995. When exhumed in 1996, the bodies appeared to have been buried for approximately one year. A cause of death by gunshot wounds was attributed to all complete and nearly complete individuals. Many victims were killed by "spray"-type shooting, at close range.

The Cancari 12 site was one of a number of secondary sites located near the Cancari Road in Bosnia-Herzegovina. It was determined that bodies dug up from Branjevo were re-buried at Cancari 12. Cancari 12 was exhumed May 10 through 25, 1998. The procedures for exhumation and analysis and the participation of forensic experts were the same as at Branjevo. Other grave sites along the Cancari road have not yet been exhumed.

Based on an analysis of the "grave matrix," that is, rock, soil and plants recovered between the body parts in the grave, a palynologist (one who studies pollen and spores) determined that the grave matrix did not originate from the site of Cancari 12 grave site. The experts further determined that the bodies and grave matrix originated at the Branjevo Military Farm. In addition, other experts analyzed the cloth found binding the wrists and over the eyes of some of the bodies recovered at Branjevo and Cancari 12; the experts determined that the same cloth was used to bind wrists and as blindfolds on the bodies recovered at both locations.

There were few intact bodies recovered at Cancari 12; bodies were dismembered in the process of exhumation and re-burial. A minimum of 177 individuals were recovered at Cancari 12. In all cases where sex could be determined, the victims were identified as males. None of the bodies carried any weapons, and none were wearing any army, military or police uniforms. The age range of all the victims was from child to elderly; 5 were between 8 and 13 years of age and 6 were over 55. The wrists of some victims were bound with cloth and a few were blindfolded. In all cases where cause of death could be determined, the cause was gunshot wound(s). The injuries were consistent with automatic weapons fire. Identifying documents and other evidence linked the victims to Srebrenica.